

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

ANTHONY JEROME HARMON,)

Plaintiff,)

vs.)

No. 4:12-CV-3417-RMG

ORDER

BRUCE M. BRYANT, JAMES F.)
ARWOOD, RICHARD L. MARTIN, JR.,)
JAMES GARVIN, TAMMY M. DOVER,)
MUNICIPALITY OF YORK COUNTY)
SC, DR. JAMES JEWELL,)

Defendants.)

This matter comes before the Court on the Report and Recommendation (R & R) of the Magistrate Judge (Dkt. No. 109), recommending that the Defendants' Motions for Summary Judgment be granted. For the reasons stated below, the Court **ADOPTS** the R & R in full. Accordingly, Defendants' Motions for Summary Judgment (Dkt. Nos. 68, 85) are **GRANTED**.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). This Court is charged with making a de novo determination of those portions of the R & R to which objection is made. *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting 28 U.S.C. § 636(b)(1)); accord Fed. R. Civ. P. 72(b). However, as is the case here, where no objections are made, this Court “must ‘only satisfy itself


that there is no clear error on the face of the record in order to accept the recommendation." *Id.* (quoting Fed. R. Civ. P 72 advisory committee note). Moreover, in the absence of specific objections to the R & R, the Court need not give any explanation for adopting the Magistrate Judge's analysis and recommendation. *See Camby v. Davis*, 718 F.2d 198, 199-200 (4th Cir. 1983).

The Court has carefully reviewed the parties' filings and the R & R, and concludes that the Magistrate Judge correctly applied the relevant law to the operative facts in this matter. Plaintiff has failed to create an issue of fact as to whether Defendant Jewell was deliberately indifferent to Plaintiff's serious medical needs and has failed to exhaust his administrative remedies with respect to his other claims.

Therefore, the Court **ADOPTS** in full the Magistrate Judge's Report and Recommendation (Dkt. No. 109) as the order of this Court. Accordingly, Defendants' Motions for Summary Judgment (Dkt. Nos. 68, 85) are **GRANTED**.

IT IS SO ORDERED.

December 18, 2013
Charleston, South Carolina



Richard Mark Gergel
United States District Judge